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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,630	09/15/2000	Takao Miyazaki	0879-0276P	4062

7590 06/06/2005

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EXAMINER
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JERABEK, KELLY L

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

164

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 09/662,630	<b>Applicant(s)</b> MIYAZAKI ET AL.	
	<b>Examiner</b> Kelly L. Jerabek	<b>Art Unit</b> 2612	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 09 May 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: 14, 15 and 17-21.
- Claim(s) rejected: 1, 3-5, 8, 9, 11-13, 16 and 22.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☒ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s) (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_

13. ☐ Other: \_\_\_\_\_.

  
**WENDY R. GARBER**  
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KLJ

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments (Page 10) state that the Tachi reference does not disclose any projectors and that while the LED matrices (EX) display images they do not project images on one or a plurality of wall screens as recited in claims 16 and 22. The Examiner respectfully disagrees. The cylindrical booth (BTA) comprises a plurality of cameras (CM) and a plurality of full-color LED matrixes (EX) (col. 3, line 66 - col. 4, line 4). The video-conference system includes multiplexers (12a, 12b) for selecting linear images (CAL) picked up by the cameras (CM) and image construction units (13a, 13b) for providing final images by displaying the linear images (CAL) on the LED matrixes (EX) (col. 4, lines 50-67). Additionally, Tachi states that the images afforded to the persons (A, B) are dynamic and they are afforded in real time (col. 5, lines 41-45). Therefore, the examiner is reading the LED matrixes (EX) as a plurality of projectors, each of which displays a sequence of images (CAL) on one of a plurality of wall screens (EX) associated with each individual wall of the video-taking enclosure. The LED matrixes (EX) are being read as both projectors and wall screens. The following is a dictionary definition of a Projector (n) one that projects: as an optical instrument for projecting an image upon a surface. Therefore, since the LED matrixes (EX) are used to generate and display linear images (CAL) they are being read as projectors and wall screens. The individual LEDs of the matrixes (EX) project light and display a sequence of images on one of a plurality of wall screens (the entire LED matrixes (EX) are being read as a wall screen). The term "projector" alone does not overcome the prior art. However, the more detailed description of the operational specifics of the projector corresponding to claims 17-21 overcomes the prior art and therefore has been indicated as allowable subject matter in the final rejection.

Applicant's arguments (page 11) state that the Tachi reference does not recite that each of the plurality of video cameras views a different individual wall screen of the video taking enclosure as disclosed by claims 16 and 22. The Examiner respectfully disagrees. Both the cameras (CM) and the LED matrixes (EX) revolve around the person (A) (col. 4, lines 5-10). Therefore, it can be seen in figure 3 that each of the video cameras (CM) views a different individual wall screen (EX) of the booth (BTA). The applicant's arguments state that Tachi discloses in col. 6, lines 61-67 that its image pickup device rotate on their own axis. However, the image pickup device shown in figure 7 differs from the cameras CM of figure 3 cited in the final rejection (col. 6, lines 53-60).

Applicant's arguments (page 13) state that one of ordinary skill in the art would not look to Silbelus to modify Robley because Silbelus is not directed to solving the same type of problem facing Robley. The Examiner respectfully disagrees. Silbelus discloses in figure 3 a belted roller treadmill modified to serve as a potentiometer. The treadmill (194) is provided in a classroom floor (190) (col. 4, lines 20-36; fig. 3). Both the Silbelus and the Robley references disclose a treadmill that a person can walk on. The Silbelus reference was cited to show that it is well known to recess a treadmill in a floor. Therefore, it would have been obvious to include the concept of providing a treadmill in a floor as disclosed by Silbelus in the photography studio including a treadmill as disclosed by Robley. Doing so would provide a means for recessing a treadmill in a floor so that it is not an obstruction protruding from the floor (for example to avoid tripping, etc.)

Applicant's arguments (page 14) state that the Office Action does not explain why one of ordinary skill in the art would be motivated to modify the Robley-Silbelus combination to include a remote control as taught by Cherry. The Examiner respectfully disagrees. Cherry discloses in figure 1 a treadmill including a control unit (20) for controlling a motor for driving the belt of the treadmill. The control unit (20) may be operated by the patient or may be removed for remote control (col. 3, lines 5-15). The Cherry reference was cited to show that it is well known to provide remote control of a treadmill. Therefore, it would have been obvious to include the treadmill capable of remote control as disclosed by Cherry in the photography studio including a treadmill disclosed by Robley in view of Silbelus. Doing so would provide a means for controlling the speed of a motor for driving the belt of a treadmill using a remote control unit (Cherry: col. 3, lines 5-15).

Applicant's arguments (page 15) state that the rejection of claim 4 is improper for the reasons stated above regarding claim 1. Therefore, the response to this traverse is the same as claim 1 above.

Applicant's arguments (page 16) state that the rejection of claim 5 is improper for the reasons stated above regarding claim 1. Therefore, the response to this traverse is the same as claim 1 above.

Applicant's arguments (page 17) state that the Rodriguez reference teaches away from using a flat wall as a screen in a video projection system. The Examiner respectfully disagrees. Rodriguez Jr. discloses in figures 1 and 2 an integrated front projection system. Rodriguez Jr. states that it is well known in the art that images may be projected on a large clear flat surface such as a wall. Although Rodriguez Jr. discloses alternative projection surfaces, the Examiner is using the Rodriguez Jr. reference to show that it is well known to project images onto a wall. Therefore, it would have been obvious to include the concept of projecting images onto a wall as disclosed by Rodriguez in the photography studio including a projector as disclosed by Robley in view of Silbelus. Doing so would provide a means for placing a projector in a room that may afford the projection volume necessary for image expansion without any physical obstructions (Rodriguez Jr.: col. 2, lines 36-38).

Applicant's arguments (page 18) state that the rejection of claim 9 is improper for the reasons stated above regarding claim 8. Therefore, the response to this traverse is the same as claim 8 above.

Applicant's arguments (page 19) state that the Office Action does not explain why one of ordinary skill in the art would be motivated to modify the Robley-Silbelus-Rodriguez combination to include a remote control as taught by Cherry. The Examiner respectfully disagrees. Cherry discloses in figure 1 a treadmill including a control unit (20) for controlling a motor for driving the belt of the treadmill.

The control unit (20) may be operated by the patient or may be removed for remote control (col. 3, lines 5-15). The Cherry reference was cited to show that it is well known to provide remote control of a treadmill. Therefore, it would have been obvious to include the treadmill capable of remote control as disclosed by Cherry in the photography studio including a treadmill disclosed by Robley in view of Silbelus and further in view of Rodriguez Jr.. Doing so would provide a means for controlling the speed of a motor for driving the belt of a treadmill using a remote control unit (Cherry: col. 3, lines 5-15).

Applicant's arguments (page 20) state that the rejection of claim 12 is improper for the reasons stated above regarding claim 8. Therefore, the response to this traverse is the same as claim 8 above.

Applicant's arguments (page 21) state that the office action does not address the significant differences in the size and arrangement of the scenes in Robley and the size and arrangement of parts on a conveyor belt in Bourn. The office action states Bourn discloses in figure 1A a machine-vision illumination system (100) including a camera (140) (col. 6, lines 19-33). The camera (140) views an object (160) through an opening in a ring-reflector illumination source (200) (col. 6, lines 27-33). Thus, the ring-reflector illumination source (200) encloses the camera. The ring-reflector illumination source (200) of the machine-vision illumination system (100) serves to reduce shadows of the object (col. 17, lines 8-17). Therefore, it would have been obvious to include the ring-reflector illumination source (200) of the machine-vision illumination system (100) disclosed by Bourn in the photography studio disclosed by Robley in view of Silbelus in view of Rodriguez Jr. Doing so would provide a means for generating a light source from more than one point source with suitable brightness in order to reduce shadows (Bourn: col. 17, lines 8-12). The Examiner asserts that shadow effects exist in both large stage scenes and in small article inspection environments. Therefore, since the ring illumination source enclosing a camera serves to reduce shadows it would have been obvious for one skilled in the art to have been motivated to include a ring illumination source as disclosed by Bourn in the photography studio disclosed by the combination of Robley-Silbelus-Rodriguez, Jr for the purpose of reducing shadows.